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APPLICATION OF

KINDER MORGAN VIRGINIA LLC

CASE NO. PUE-2001-00722

**For authority to construct
And operate an electric generating
Facility in Cumberland County**

HEARING EXAMINER'S RULING

October 21, 2002

Pursuant to a Hearing Examiner's Ruling issued on May 8, 2002, a procedural schedule and hearing date were established for the referenced proceeding.

On October 17, 2002, Kinder Morgan Virginia LLC ("Kinder Morgan Virginia") filed a Motion to Suspend Procedural Schedule. In support of the Motion, Kinder Morgan Virginia states that since the entry of the Hearing Examiner's Ruling, the market for new energy generation facilities in Virginia and nationwide has failed to improve and Kinder Morgan Virginia believes it is no longer prudent to continue with the procedural schedule established for this case. Kinder Morgan Virginia remains hopeful that energy markets will recover in the not too distant future and that development of this project can resume.

I find that the Motion to Suspend Procedural Schedule should be granted. Accordingly,

IT IS DIRECTED THAT:

- (1) The hearing currently scheduled for December 17, 2002, is cancelled; and
- (2) This matter is continued generally until further ruling by the Examiner.

Howard P. Anderson, Jr.
Hearing Examiner